



U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

August 31, 2023

**EX PARTE**  
**BY EMAIL**

The Honorable John G. Koeltl  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

*The attached order can be  
filed. Neither it, nor this  
letter, needs to be filed  
under seal or ex parte at this  
time. SO ordered.*

**Re: United States v. Alexander Mashinsky, 23 Cr. 347 (JGK)**

Dear Judge Koeltl:

*9/3/23 JGK/Koeltl  
U.S.D.S.*

We write to request the unsealing and docketing of the attached Post-Indictment Restraining Order (the "Order"), which Judge Rakoff issued in the above-captioned case on August 16, 2023. The Government sought sealing of the Order to avoid any third parties interfering with the execution of the Order before the relevant institutions could be notified and accounts could be frozen. The relevant institutions are now aware of the Order, and we do not believe that further sealing is required. The application and affidavit in support of the Order should remain under seal at this time because they reveal confidential information about our ongoing investigation.

Respectfully submitted,

DAMIAN WILLIAMS  
United States Attorney

By: /s/  
Allison Nichols  
Adam Hobson  
Noah Solowiejczyk  
Assistant United States Attorney  
Southern District of New York  
Tel: (212) 637-2366

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
	:	<del>TO BE FILED UNDER SEAL</del> 9/5/23
UNITED STATES OF AMERICA,	:	2618
	:	
-v.-	:	POST-INDICTMENT
	:	RESTRAINING ORDER
ALEXANDER MASHINSKY, et al.,	:	
	:	23 Cr. 347 (JGK)
Defendants.	:	
	:	
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Upon the application of DAMIAN WILLIAMS, United States Attorney for the Southern District of New York, pursuant to Title 18, United States Code, Sections 981 and 982, Title 28, United States Code, Section 2461, and Title 21, United States Code, Section 853, based on the Declaration of Special Agent Brandon Racz of the Federal Bureau of Investigation, and the Declaration of Assistant United States Attorney Adam S. Hobson, executed on August 16, 2023, and upon a finding of probable cause, that the Subject Property, defined below, are subject to restraint and forfeiture as proceeds of securities fraud, in violation of Title 15, United States Code, Sections 78j(b) and 78ff and Title 17, Code of Federal Regulations, Section 240.10b-5; wire fraud, in violation of Title 18, United States Code, Section 1343; market manipulation, in violation of Title 15, United States Code, Sections 78i(a)(2) and 78ff; and attempt and conspiracy to do the same; and/or as property involved in money laundering in violation of Title 18, United States Code, Section 1957,

**IT IS HEREBY ORDERED** that ALEXANDER MASHINSKY, the Defendant, and all attorneys, agents, and employees, and anyone acting on the behalf of him, and all persons

or entities in active concert or participation with any of the above, and all persons or entities having actual knowledge of this Order, shall not take any action prohibited by this Order.

**IT IS FURTHER ORDERED** that ALEXANDER MASHINSKY, the Defendant, and all attorneys, agents, and employees, and anyone acting on the behalf of him, and all persons or entities in active concert or participation with any of the above, and all persons or entities having actual knowledge of this Order, including any relevant financial institutions, shall not, directly or indirectly, transfer, sell, assign, pledge, hypothecate, encumber, or dispose of in any manner; cause to be transferred, sold, assigned, pledged, hypothecated, encumbered, disposed of in any manner; or take, or cause to be taken, any action that would have the effect of depreciating, damaging, or in any way diminishing the value of property or other interests belonging to, or owed to, or controlled in whole or in part by the Defendant, which property or other interests are subject to forfeiture. The property and other interests hereby restrained include, but are not limited to, the following:

- a. Any and all funds in account number ending in -6202 held at Goldman Sachs in the name of KOALA1 LLC, and any and all moneys, assets, and funds traceable thereto (the "Koala1 6202 Account");
- b. Any and all funds in account number ending in -9610 held at Goldman Sachs in the name of KOALA1 LLC, and any and all moneys, assets, and funds traceable thereto (the "Koala1 9610 Account");
- c. Any and all funds in account number ending in -6087 held at Goldman Sachs in the name of KOALA2 LLC, and any and all moneys, assets, and funds traceable thereto (the "Koala2 6087 Account");
- d. Any and all funds in account number ending in -6194 held at Goldman Sachs in the name of KOALA3 LLC, and any and all moneys, assets, and funds traceable thereto (the "Koala3 6194 Account");
- e. Any and all funds in account number ending in -7039 held at Merrill Lynch in the name of AM Ventures Holdings Inc., and any and all moneys, assets, and funds traceable thereto (the "AM Ventures Account");



- f. Any and all funds in account number ending in -6437 held at First Republic Securities in the names of Alexander Mashinsky and Kristine Meehan, and any and all moneys, assets, and funds traceable thereto (the "Mashinsky 6437 Account");
- g. Any and all funds in an account number ending in -4897 held at SoFi Bank in the name of Alex Mashinsky, and any and all funds traceable thereto (the "Mashinsky 4897 Account");
- h. Any and all funds in an account number ending in -8120 held at SoFi Securities in the name of Alex Mashinsky, and any and all moneys, assets, and funds traceable thereto (the "Mashinsky 8120 Account"); and
- i. The real property located at 2004 East 8th Street, Austin, Texas, which is a residential home purchased by Alex Mashinsky and Kristine Mashinsky on or about June 10, 2021 (the "Texas Property");

(a through i, collectively, the "Subject Property").

**IT IS FURTHER ORDERED** that any financial institution holding any of the Subject Property must, upon notice of this Order, immediately terminate all transfers out of those accounts included in the Subject Property and permit transfers into these accounts, until such time as notified by the Government in writing, and shall not release any of the Subject Property to anyone, including individuals or entities who would receive automatic withdrawals or charge-backs in the absence of this restraint;

**IT IS FURTHER ORDERED** that the United States Attorney's Office for the Southern District of New York, in its discretion, is authorized to direct the release of assets restrained herein;

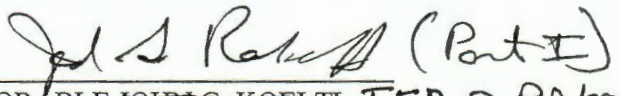
**IT IS FURTHER ORDERED** any person or entity claiming an interest in the assets listed in this Order may contact the following Assistant United States Attorney to clarify the scope of the Order: Assistant United States Attorney Adam S. Hobson, Telephone Number (212) 637-2484. Those persons or entities will not be deemed in violation of this Order for any transactions undertaken upon approval made in writing by Assistant United States Attorney Hobson.

**IT IS FURTHER ORDERED** that this Restraining Order shall be binding upon the Defendant, the attorneys, agents, and employees, and all persons in active concert or participation with any of the above, or any other person having actual knowledge of this Order, and that this Order shall remain in effect until further order of this Court;

**IT IS FURTHER ORDERED** that this Restraining Order and all papers submitted therewith shall be maintained under seal until further order of the Court, except that the United States Attorney's Office or its designee(s) may provide copies of this Order to any person in order to facilitate the execution of this Restraining Order, including any relevant foreign law enforcement agency, financial institutions, and/or the Defendant; and

**IT IS FURTHER ORDERED** that service of a copy of this Order shall be made on the Defendant or his attorney by regular mail.

Dated: New York, New York  
August 16, 2023

 (Part I)  
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THE HONORABLE ~~JOHN G. KOELT~~ JED S. RAKOFF  
United States District Judge  
Southern District of New York